IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2573 OF 2006

Ulhas @ Babu Dattaram Rao — Petitioner
vs.
State of Maharashtra & 3 ors. — Respondents

Smt.Shraddha Y. Mohite for the petitioner.

Mrs.A.S.Pai, APP for respondent 1.

**CORAM : SMT.RANJANA DESAI &**
**ANOOP V. MOHTA,JJ.**

**DATED : 10th January, 2007**

**P.C.**

This is a petition through jail. The petitioner had applied for furlough leave. His application came to be rejected. He is aggrieved by the said rejection. In the petition filed in this Court it is stated that the petitioner's application for furlough leave is rejected on account of adverse police report.

2. We have heard the learned counsel for the petitioner and the learned APP. The learned APP, on instructions from the Officer who is present in Court, stated that the application of the petitioner is not rejected merely on the ground of adverse police report but it is rejected on the ground that because the petitioner is convicted under Section 397 of the I.P.C., as per Rule 4(4) of the Prisons (Bombay Furlough and Parole) Rules,

1959, he is not entitled to such leave. We have seen the said Rule. The rejection of the petitioner's application cannot be faulted. There is no substance in the petition. The petition is rejected.

[SMT.RANJAA DESAI,J.]

[ANOOP V. MOHTA,J.]